

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

JEFFERSON-PILOT LIFE

CASE NO. 1:02cv00479

Plaintiff

Judge Barrett

-VS-

CHRISTOPHER KEARNEY, et al.

Defendant

**O R D E R**

This matter is before the Court upon cross-motions related to discovery disputes. Upon consideration of the arguments of counsel and the issues presented therein, the Court finds

First, Defendant Kearney shall produce the requested credit card statements that are in his possession, custody and/or control. If he does not possess the requested information, he shall forthwith provide Plaintiffs with account numbers and information to permit them to accurately subpoena the requested data. If such data is otherwise electronically available to Mr. Kearney in the first instance, he shall forthwith produce said electronically stored data or permit Plaintiffs to inspect and copy such information.

Second, as to the Newkirk letter (1998), following an *in camera* review, the Court

determines that it is a privileged document and not subject to review by Defendant, Kearney.

**IT IS SO ORDERED.**

s/Michael R. Barrett  
MICHAEL R. BARRETT, Judge  
United States District Court